

## Report No. 378.

## HOUSE OF REPRESENTATIVES.

## ATKINS DYER.

MARCH 14, 1848.

Laid upon the table.

Mr. HUNT, from the Committee on Commerce, made the following

## REPORT:

*The Committee on Commerce, to whom was referred the petition of Atkins Dyer, report:*

That by the "act concerning the navigation of the United States," approved March 1, 1817, a tonnage duty of fifty cents per ton is laid on every American vessel entering the United States from any foreign port, unless the officers, and at least two-thirds of the crew thereof, shall be proved citizens of the United States, or persons not the subjects of any foreign State. The committee are of opinion that this discrimination, in favor of the employment of American seamen in our merchant service, has proved of great utility and is sustained by obvious considerations of national policy.

The petitioner represents, that in October, 1846, being master and owner of the brig "Germ," he cleared at the port of Philadelphia for Kingston, Jamaica, with a crew of American seamen. His agreement with them was for a voyage from Philadelphia to Kingston; from thence to a port or ports in the West Indies, and back to a final port of discharge in the United States. But on his arrival at Kingston, he accepted a charter to the Spanish main. The voyage being changed from the articles of agreement with his crew, they asked for their discharge, to which they were entitled, and he accordingly discharged them. As a full crew of Americans could not be had at Kingston, he organized a new crew, composed of two Americans and three foreigners. On arriving at St. Juan de Nicaragua, two of the crew absconded, and as no seamen could be procured, he sailed to New York with a crew of only five, in-

cluding himself and his officers; of which number three were Americans and two foreigners. On arriving at New York, the collector required him to pay a tonnage duty of \$87 50, on account of his failure to prove the necessary complement of American seamen to entitle him to exemption from duty, under the law before cited. The petitioner now asks for the passage of an act remitting the duty.

The committee do not perceive that any sufficient reason is shown why this case should be excepted from the operation of the act of 1817. The petitioner, being the owner and master of the vessel, changed his destination, voluntarily, upon inducements which he doubtless considered sufficient. Unless the complement of American seamen is reduced by sickness, death, or desertion, the committee are of opinion that the desired exemption from duty cannot be granted upon principles of justice or policy, and they therefore recommend that the prayer of the petitioner be denied.

### REPORT

That by the act concerning the navigation of the United States, approved March 1, 1817, a tonnage duty of fifty cents per ton is laid on every American vessel entering the United States from any foreign port, unless the officers, and at least two-thirds of the crew thereof, shall be proved citizens of the United States. The committee on the subject of any foreign State. The committee are of opinion that this discrimination, in favor of the employment of American seamen in our merchant service, has proved of great utility and is sustained by obvious considerations of national policy.

The petitioner represents that in October, 1846, being master and owner of the brig "Germ," he cleared at the port of Philadelphia for Kingston, Jamaica, with a crew of American seamen. His agreement with them was for a voyage from Philadelphia to Kingston; from thence to a port or ports in the West Indies, and back to a final port or discharge in the United States. But on his arrival at Kingston, he accepted a charter to the Spanish main. The voyage being changed from the articles of agreement with his crew, they asked for their discharge, to which they were entitled, and he accordingly discharged them. As a full crew of Americans could not be had at Kingston, he organized a new crew, composed of two Americans and three foreigners. On arriving at St. Juan de Nicaragua, two of the crew absconded, and as no seamen could be procured, he sailed to New York with a crew of only five, in-